

104TH CONGRESS  
2D SESSION

# S. 1406

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IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 1996

Referred to the Committee on Transportation and infrastructure

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## AN ACT

To authorize the Secretary of the Army to convey to the city of Eufaula, Oklahoma, a parcel of land located at the Eufaula Lake project, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CONVEYANCE OF LAND AT EUFAULA LAKE**  
2 **PROJECT.**

3 (a) IN GENERAL.—The Secretary of the Army (re-  
4 ferred to in this section as the “Secretary”) may convey  
5 to the city of Eufaula, Oklahoma, all right, title, and inter-  
6 est of the United States in and to a parcel of land consist-  
7 ing of approximately 12.5 acres located at the Eufaula  
8 Lake project.

9 (b) CONSIDERATION.—Consideration for the convey-  
10 ance under subsection (a) shall be the fair market value  
11 of the parcel (as determined by the Secretary) and pay-  
12 ment of all costs of the United States in making the con-  
13 veyance, including the costs of—

14 (1) the survey required under subsection (d);

15 (2) any other necessary survey or survey  
16 monumentation;

17 (3) compliance with the National Environ-  
18 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.);  
19 and

20 (4) any coordination necessary with respect to  
21 requirements relating to endangered species, cultural  
22 resources, and clean air (including the costs of agen-  
23 cy consultation and public hearings).

1       (c) LAND SURVEYS.—The exact acreage and descrip-  
2       tion of the parcel to be conveyed under subsection (a) shall  
3       be determined by such surveys as the Secretary considers  
4       necessary, which shall be carried out to the satisfaction  
5       of the Secretary.

6       (d) ENVIRONMENTAL BASELINE SURVEY.—Prior to  
7       making the conveyance under subsection (a), the Secretary  
8       shall conduct an environmental baseline survey to deter-  
9       mine the levels of any contamination (as of the date of  
10      the survey) for which the United States would be respon-  
11      sible under the Comprehensive Environmental Response,  
12      Compensation, and Liability Act of 1980 (42 U.S.C. 9601  
13      et seq.) and any other applicable law.

14      (e) CONDITIONS CONCERNING RIGHTS AND EASE-  
15      MENT.—The conveyance under subsection (a) shall be sub-  
16      ject to valid existing rights and to retention by the United  
17      States of a flowage easement over all portions of the parcel  
18      that lie at or below the flowage easement contour for the  
19      Eufaula Lake project.

20      (f) OTHER TERMS AND CONDITIONS.—The convey-  
21      ance under subsection (a) shall be subject to such other  
22      terms and conditions as the Secretary considers necessary

1 and appropriate to protect the interests of the United  
2 States.

Passed the Senate June 5, 1996.

Attest: KELLY D. JOHNSTON,  
*Secretary.*